

REMARKS

In the Office Communication dated December 3, 2004, the Examiner objected to the format of the amendments made in this reissue continuation application. In particular, the Examiner stated that the prior amendments incorrectly provided amendments as changes to the parent reissue application, and not as changes to the original issued patent, U.S. Patent No. 5,431,648 ("the '648 patent). In addition, the Examiner objected to the filing of the same reissue declaration in this application as was filed in the parent reissue application. Finally, the Examiner reminded the Applicant of the need to reference the prior related application and patent in the specification corresponding to this reissue application.

By this Reply, Applicant provides full and proper amendments to the specification and claims of the '648 patent. Because this Reply represents Applicant's entire amendments to the '648 patent to date in this reissue application, Applicant requests that all prior amendments submitted in connection with this application be withdrawn and substituted with the amendments presented herein.

Applicant has amended the specification to include reference to the prior reissue application and the '648 patent, and to correct minor errors in column 4 of the '648 patent. In addition, Applicant has amended claim 1 and has added new claims 2-12. Accordingly, claims 1-12 are pending in this reissue application. Pursuant to 37 C.F.R. § 1.173(c), the appendix to this Reply identifies exemplary support in the '648 patent for the added claims.

With respect to the objection to the filing of a copy of the prior reissue declaration in this application, Applicant is in the process of preparing a new Reissue declaration as

requested by the Examiner. Applicant notes, however, that this reissue application corrects the same error that was being corrected in the parent reissue application.

Namely, Applicant is correcting the error of claiming less in the '648 patent than he was entitled to. Applicant will file the required declaration once it has been executed and understands that if the declaration is not received by the Examiner prior to examination of this application, this application may be subject to rejection under 35 U.S.C. § 251.

Please grant any extensions of time required to enter this Reply, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 29, 2004

By: 

Roland G. McAndrews
Reg. No. 41,450

Attachment: Appendix to Reply

APPENDIX TO REPLY

Claims	Exemplary Support for Amendments/New Claims
2	See, e.g., col. 2, line 48, through col. 3, line 17; col. 4, lines 4-52; col. 5, line 58 through col. 6, line 2; and Figs. 1, 3, and 5.
3-12	See, e.g., col. 2, line 48, through col. 3, line 17; col. 4, lines 4-52; col. 5, line 58 through col. 6, line 2; and Figs. 1, 3, and 5.